

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Robert Burks,

Case No. 19-cv-1448 (WMW/DTS)

Plaintiff,

v.

**ORDER ADOPTING  
REPORT AND RECOMMENDATION**

MN Disability Law Center,

Defendant.

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This matter is before the Court on the October 4, 2019 Report and Recommendation (R&R) of United States Magistrate Judge David T. Schultz. (Dkt. 11.) The R&R recommends dismissing Plaintiff Robert Burks's complaint without prejudice for failure to prosecute, Fed. R. Civ. P. 41(b), including Burks's failure to pay the filing fee. Objections to the R&R have not been filed in the time period permitted.

In the absence of timely objections, the Court reviews an R&R for clear error. *See* Fed. R. Civ. P. 72(b) advisory committee's note ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation."); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Having carefully performed this review, the Court finds no clear error and adopts the R&R.

Based on the R&R and all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED:**

1. The October 4, 2019 R&R, (Dkt. 11), is **ADOPTED**.

2. Plaintiff Robert Burks's complaint, (Dkt. 1), is **DISMISSED WITHOUT PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: November 15, 2019

s/Wilhelmina M. Wright  
Wilhelmina M. Wright  
United States District Judge